

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ELENA REYES,

Plaintiff,

v.

SWIFT & COMPANY,

Defendant.

)
)
)
)
)
)
)
)
)
)

CASE NO. 8:05CV183

ORDER

This matter is before the court on Defendant's Motion to Dismiss. (Filing No. 21). On June 16, 2006 this court issued a Show Cause Order directing the plaintiff to notify the court by July 7, 2006 why she had failed to comply with two court orders. Plaintiff was warned that failure to respond to the Show Cause Order could result in the dismissal of her case without prejudice for failure to prosecute. This deadline has passed and the record reflects that plaintiff has not filed a response to the June 16, 2006, Show Cause Order. Therefore, defendant's motion to dismiss for failure to prosecute is granted.

IT IS ORDERED:

1. That Defendant's Motion to Dismiss (Filing No. 21) is granted;
2. The Complaint and all claims are dismissed without prejudice; and
3. The parties will bear their own costs and fees unless otherwise agreed between them.

DATED this 10th day of July, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge